

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on December 12, 2006, and the references cited therewith.

Claims 112, 134, and 149 are amended, claims 53-71, 73-93, 95-98, 100-102, 113-114, 119-133, 135- 148, and 150-157 are canceled, and claims 158-174 are added; as a result, claims 112, 134, 149, and 158-174 are now pending in this application.

About the Amendments

Applicant has amended claim 112 to recite, "receiving, by the central controller, requests for verification of account identifiers and player authentication information; verifying to the game terminals, by the central controller, that the account identifiers and the player authentication information are valid." Applicant has amended claim 134 to recite, "receiving, at one of the game terminals, an account identifier and player authentication information associated with the account identifier; requesting, by the one of the game terminals, verification of the account identifier and the player authentication information from the central controller; receiving, at the one of the game terminals, verification of the account identifier and the player authentication information from the central controller." Applicant has amended claim 149 to recite, "a plurality of game terminals configured to receive account identifiers and player authentication information associated with the account identifiers, to request verification of the account identifiers and the player authentication information" and "a central controller... including... an interface configured to receive account identifiers, the player authentication information... and a processor configured to verify the account identifiers and the player authentication information..."

Support for these amendments can be found in the Instant Application *inter alia* at page 12, line 20 – page 13, line 13.

Support for new claims 158 and 173 can be found in the Instant Application *inter alia* at page 15, lines 12 – 22.

Support for new claims 159 and 174 can be found in the Instant Application *inter alia* at page 14, lines 1-8.

Support for new claims 160 and 167 can be found in the Instant Application *inter alia* at canceled claim 57.

Support for new claims 161 and 169 can be found in the Instant Application *inter alia* at page 8, line 3-9.

Support for new claims 162, 163, and 166 can be found in the Instant Application *inter alia* at page 15, lines 12-14.

Support for new claims 164 and 165 can be found in the Instant Application *inter alia* at page 15, lines 3-5.

Support for new claim 168 can be found in the Instant Application *inter alia* at page 15, lines 6-22.

Support for new claim 170 can be found in the Instant Application *inter alia* at page 14, line 11 to page 15, line 5.

Support for new claim 171 can be found in the Instant Application *inter alia* at page 13, lines 11-15.

Support for new claim 172 can be found in the Instant Application *inter alia* at page 16, lines 6-16.

Rejections Under 35 USC §102

Claims 53-57, 60-64, 73-77, 93, 95-97, 112, 113, 119, 120, 124-128, 134-138, and 147 were rejected under 35 USC §102(b) as being anticipated by Itkis (U.S. 4,856,787; hereinafter referred to as Itkis). Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688, 16 USPQ 2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991). It is not enough, however, that the prior art reference discloses all the claimed elements in isolation. Rather, “[a]nticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added). Applicant respectfully submits that the Office Action does not establish a *prima facie* case of anticipation because Itkis does not teach each and every element of the rejected claims.

Applicant has canceled claims 53-57, 60-64, 73-77, 93, 95-97, 113, 119, 120, 124-128, 135-138, and 147.

As for the pending claims, claim 112 recites,

receiving, by the central controller, game information from the game terminals for games for which wager amounts were received by the game terminals; and
based on the game information, adjusting, by the central controller, player account information associated with the account identifier.

In rejecting claim 112, the Office Action asserts that Itkis teaches a central controller that

“adjusts player account information after each game for which a wager amount was received.”¹

In supporting this assertion, the Office Action relies on Itkis’ passage at column 3, line 66, which states²:

The communication between the master game device 1 and the slave game devices 7 is bidirectional. The slave 7 receives commands and data from the master 1 and sends back the game status information and accounting data being generated by the task 29. In particular, if the slave game device 7 determines that a bingo or keno game reached the winning stage, the master 1 is immediately notified via the network 6; so that the respective game can be stopped by the game operator for verification of the winning. On the other hand, the master game device 1 may download a portion of the slave game device 7 software via the network 6 upon receiving a respective request from the latter.

Applicant submits that Office Action has mischaracterized the passage. While the passage teaches a slave game device sending accounting data to a master gaming device, it does not teach claim 112’s “adjusting, by the central controller, player account information associated with the account identifier.” Applicant is unaware of any passage in Itkis that teaches claim 112’s “adjusting” features.

In addition to the novel features discussed above, claim 112 also recites:

receiving, by the central controller, requests for verification of account identifiers and player authentication information;
verifying to the game terminals, by the central controller, that the account identifiers and the player authentication information are valid;

Applicant submits that Itkis does not teach or suggest these claim features.

For at least the reasons noted above, Applicant submits that Itkis does not teach or suggest each and every element of claim 112. Therefore, Applicant requests withdrawal of this rejection of claim 112.

¹ Office Action, page 3

² Office Action, page 3

As for claim 134, claim 134 includes features similar to those discussed above. For at least the reasons given above, Applicant submits that Itkis does not teach or suggest each and every element of claim 134.

Rejections Under 35 USC §103

Claims 58, 59, 65, 66, 68-71, 78, 79-92, 98, 100-102, 114, 121-123, 129-133, 139-146, and 148-157 were rejected under 35 USC §103(a) as being unpatentable over Itkis in view of Franchi (U.S. 5,770,533; hereinafter referred to as Franchi). The Examiner has the burden under 35 U.S.C. § 103 to establish a *prima facie* case of obviousness. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). To do that, the Examiner must show that some objective teaching in the prior art or some knowledge generally available to one of ordinary skill in the art would lead an individual to combine the relevant teaching of the references. *Id.* In order for the Examiner to establish a *prima facie* case of obviousness, three base criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *M.P.E.P.* § 2142 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir. 1991)). In the following discussion, Applicant will show that the Office Action failed to establish a *prima facie* case of obviousness under 35 USC § 103(a).

Applicant has canceled claims 8, 59, 65, 66, 68-71, 78, 79-92, 98, 100-102, 114, 121-123, 129-133, 139-146, 148, and 150-157.

As for claim 149, it includes the following features:

- a plurality of game terminals configured to receive account identifiers and player authentication information associated with the account identifiers, to request verification of the account identifiers and the player authentication information...
- a central controller... including ...an interface configured to receive account identifiers, the player authentication information, and the game information from the plurality of game terminals; and a processor configured to verify the account identifiers and the player

authentication information, and to update the player account information, based on the received game information.

Itkis does not teach or suggest a central controller to receive account identifiers and player authentication information, where the central controller includes a processor configured to verify the account identifiers and player authentication information, as set-out in claim 149. Instead, as discussed above, Itkis discloses a slave device that sends accounting information to a master game device.³ For the cited combination to teach or suggest each and every element of claim 149, Franchi must provide what Itkis is lacking. However, Franchi does not provide what Itkis is lacking. Although Franchi teaches that a “betting card preferably contains a secure microprocessor and memory for preserving information including identification of the player, the cash balance of the player, and an identification code known to the player,”⁴ Franchi is lacking several features of claim 149. For example, Franchi does not teach or suggest: 1) game terminals that request verification of account identifiers and player authentication information, and 2) a central controller configured to verify the account identifiers and player authentication information. Because the combination of Itkis and Franchi does not teach each and every element of claim 149, Applicant requests that the rejection be withdrawn.

Reservation of Rights

Applicant does not admit that references cited under 35 U.S.C. §§ 102(a), 102(e), 103/102(a), or 103/102(e) are prior art, and reserves the right to swear behind them at a later date. Arguments presented to distinguish such references should not be construed as admissions that the references are prior art. Furthermore, applicant reserves the right to pursue the cancelled claims in a continuation application.

³ Itkis at col. 3, line 66 et seq.

⁴ Franchi col. 2, ll. 46-50

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney Andrew DeLizio at (281)758-0025 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3998

Respectfully submitted,

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Date 4/26/2007

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Date of Deposit: April 26, 2007

This paper or fee is being filed on the date indicated above using the USPTO's electronic filing system EFS-Web, and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.